

Remarks

Claims 1-8 have been improperly rejected over combinations of Grady, Tjaden and Sharma. The disclosures attributed to Grady are not found in Grady and thus render the rejection improper.

Grady discusses the relationship between GMAT score reports and the interests of a candidate in attending a school. Grady discloses a survey reveals that there is a high probability that a score report was sent to a first choice school and that most candidates enrolled in schools in which score reports were sent. Grady discloses that this information may be critical for schools that want to influence the decisions of potential applicants in order to increase the size, quality and diversity of their student bodies. Grady does not disclose the implementation required to obtain the desired results.

Claim Rejections

The Office Action rejected Claims 1-4, 7 and 8 as being unpatentable over Grady in view of Tjaden.

The Office incorrectly asserts that Grady discloses a method for generating applications from candidates interested in attending an education institution. As explained above, however, Grady can only fairly be read to disclose determining interested students by GMAT score reports. Additionally, Grady despite the Offices assertions does not disclose several of the features attributed to it.

The Office claims that Grady discloses “providing a web site containing links to a survey and to the partial application” and cites pages 4 and 5 as a basis. Grady does not disclose this in the entire reference, much less on the specified pages 4 and 5. The only survey disclosed in Grady is a GMAT registrant survey, and Grady is silent regarding a relationship to a web site. Furthermore, Grady does not disclose a partial application.

The Office’s improper implication that a partial application must have been accessed since some of the candidates knew of their acceptance or denial, is absurd, and outside of Patent Office practices. The Office’s back door attempt at inherency fails for two distinct reasons. The first is that an application does not satisfy the feature of a partial application. The Office uses the terms synonymously granting no weight to the term “partial”. This is especially evident in the Office’s motivation section on page 6, where the Office states “providing candidates from the pool with an application for enrollment”.

The present specification states “The educational institution may also elect to customize the web based application by truncating or simplifying the questions, formulating the content of the application to appeal to a specific target group;” (page 10) and “The candidate who indicates a continuing interest in the education institution is provided with a link to a customized partial application” (page 13). The Specification further distinguished partial applications from applications, stating “Following receipt of the partial application several additional options are available to an educational institution. In some case, a full application form may be customized.”

The second reason is that Grady is silent on how the application was accessed. The claims clearly state providing each candidate "...with electronic access to a partial application". The partial application is a precursor to a full application. Possessing knowledge of admittance in no manner discloses electronic access to the application, much less a partial application. Additionally, the present claims are directed to a method generating applications, an application from someone who already has been accepted or denied is incongruent.

Additionally, Grady does not disclose customizing anything much less a partial application.

In view of the above it is clear that a proper prima facie case of obviousness has not been made as Grady does not disclose what the rejection purports it to disclose.

Furthermore, Tjaden does nothing to obviate Grady's deficiencies. Tjaden is directed to a survey of candidates already enrolled in an institution and has little relevance to a method of generating applications. Irrespective of the teaching supposedly disclosed in Tjaden, the Office does not use Tjaden to teach a partial application or its link to a web page. Therefore, Tjaden does not save the rejection.

The Office also improperly rejected Claims 5-6 as being unpatentable over Grady, Tjaden and further in view of Sharma.

Sharma is used by the Office to provide a teaching of providing incentive in return for submitting a complete application. While Sharma does nothing to obviate the

deficiencies of Grady and Tjaden discussed above which in itself is fatal to the rejection, the Offices contention are so outrageous, the Applicant feels compelled to response.

The Offices states that offering "accelerated programs" to prepare enrolled students for graduate school is an incentive to submit an application. This is beyond the pale. The courses are provided in undergraduate school and no link has been demonstrated to filling out an application as required in the claim.

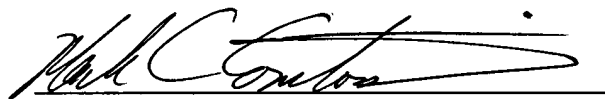
This rejection fails, not only because of the deficiencies of Grady, but also with respect to the lack of a teaching for incentives.

Conclusion

The Offices application of Grady and Tjaden does not result in establishing a prima facie case of obviousness, since several elements are not correctly taught in the combination. Furthermore, Sharma does nothing to obviate these deficiencies and also does not teach what the Office purports it to disclose.

The Applicant request allowance of the Application including claims 1-8. If the Office is of the opinion that the application is still not in condition for allowance, she is urged to contact the undersigned attorney.

Respectfully submitted,



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